



February 17, 2012

OFFICE OF THE CITY CLERK

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

45 March 13, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Ms. Sachi A. Hamai
Executive Officer
Board of Supervisors
County of Los Angeles
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Re: Request for Services of Los Angeles County Registrar of Voters

Dear Ms. Hamai:


On February 6, 2012, the Pasadena City Council called a Special Municipal Election on behalf of the Pasadena Unified School District to be held on Tuesday, June 5, 2012, in the City of Pasadena and the territory annexed thereto for Pasadena Unified School District purposes to submit to the voters a proposed Charter amendment measure to provide for the Nomination and Election of Members of the Board of Education by Geographic Sub-Districts. Enclosed is a certified copy of Resolution No. 9176 calling and giving notice of the election, and Resolution No. 9177 requesting the Board of Supervisors to authorize and order the consolidation of this Special Municipal Election with the Presidential Primary Election to be held on Tuesday, June 5, 2012, and requesting the County Clerk/Registrar of Voters to provide certain services.

The above resolution contains the authorization of the Pasadena Unified School District Board of Education to reimburse the County for all expenses incurred for services in consolidating this election.

Please agendaize this matter for approval by the Board of Supervisors at its next available meeting, and provide written confirmation of the Board's action thereafter.

Thank you for your assistance in processing this request.

Sincerely,


Mark Jomsky, CMC
City Clerk

Enclosures

cc: County Clerk/Registrar-Recorder, Election Coordination Section

RESOLUTION NO. 9176

I hereby certify that the foregoing document is a full, true and correct copy of Resolution 9176 on file in the office of the City Clerk of the city of Pasadena, Calif.

City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA, CALIFORNIA, CALLING FOR AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY, AND IN THE TERRITORY ANNEXED THERETO FOR PASADENA UNIFIED SCHOOL DISTRICT PURPOSES, ON TUESDAY, JUNE 5, 2012, FOR THE SUBMISSION OF A CHARTER AMENDMENT MEASURE TO PROVIDE FOR THE NOMINATION AND ELECTION OF MEMBERS TO THE BOARD OF EDUCATION BY GEOGRAPHIC SUB-DISTRICTS

WHEREAS, pursuant to authority provided by Article XI of the California Constitution; Title 4, Division 2, Chapter 3 of the California Government Code; Division 9, Chapter 3, Article 3 (commencing at § 9255) of the California Elections Code; and Section 1206 of the Pasadena City Charter, the City Council of the City of Pasadena, desires to submit to the voters of the City of Pasadena, and of the territory annexed thereto for Pasadena Unified School District purposes, a Charter amendment measure to provide for the nomination and election of members to the Board of Education by geographic sub-districts; and

WHEREAS, the Pasadena Unified School District Board of Education adopted Resolution No. 2176, requesting the City Council to call a Special Municipal Election on June 5, 2012, on behalf of the School District; and

WHEREAS, the City Council is authorized and directed by statute to submit the Charter amendment measure to the voters.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena, California, as follows, that:

SECTION 1. Pursuant to the requirements of the Pasadena City Charter and the laws of the State of California, a Special Municipal Election is hereby called and ordered to be held in the City of Pasadena, and in the territory annexed thereto for Pasadena Unified School District purposes, on Tuesday, June 5, 2012.

SECTION 2. At said election there shall be submitted to the qualified voters of said City, and the territory that is annexed thereto for Pasadena Unified School District purposes, a Charter amendment measure to provide for the nomination and election of members to the Board of Education by geographic sub-districts.

SECTION 3. The text of said measure of the Charter amendment to be submitted to the voters is attached hereto as Exhibit "A" (for printing in the sample ballot pamphlet in English and Spanish), and incorporated herein by this reference.

SECTION 4. The procedures for voting for and against said Charter amendment measure shall be those established by Los Angeles County and the question shall be printed in substantially the following form:

Shall the Charter of the City of Pasadena be amended to provide for the nomination and election of members of the Pasadena Unified School District Board of Education by geographic sub-districts, with geographic sub-districts adopted by the School Board and redrawn after each federal census based upon a citizen Redistricting Commission recommendation?	YES	
	NO	

SECTION 5. The ballots to be used at the election shall be in form and content as required by law.

SECTION 6. The polls shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, pursuant to California Elections Code, Section 10242, except as provided in California Elections Code, Section 14401.

SECTION 7. The vote requirement for passage of the Charter amendment measure shall be a majority of votes cast (50% plus 1) for the measure.

SECTION 8. The City of Pasadena agrees to reimburse the County for all expenses incurred for services requested by this resolution, with the City to be reimbursed for said expenses by the Pasadena Unified School District pursuant to Pasadena City Charter Section 712.

SECTION 9. In all particulars not recited in this resolution, the election hereby called shall be held and conducted as provided by law for holding municipal elections in said City and the territory annexed thereto for Pasadena Unified School District purposes.

SECTION 10. Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

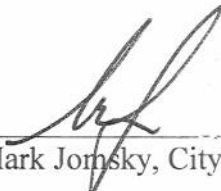
Adopted at the regular meeting of the City Council on the 6th day of February, 2012, by the following vote:

AYES: Councilmembers Holden, Madison, Masuda, Robinson, Tornek, Vice Mayor McAustin, Mayor Bogaard


NOES: None

ABSENT: Councilmember Gordo

ABSTAIN: None



Mark Jomsky, City Clerk

APPROVED AS TO FORM:  2/2/12

Nicholas G. Rodriguez
Chief Assistant City Attorney

Proposed Pasadena Charter Language

Section 701. Establishment of a Board of Education.

The control, management, and administration of the public elementary and secondary schools of the City of Pasadena and such territory that is now or may hereafter be annexed thereto for school purposes, in accordance with the Constitution and general laws of the State of California, is hereby vested in a Board of Education consisting of seven members nominated and elected by geographic sub-district as provided in this Charter holding offices 1, 2, 3, 4, 5, 6 and 7, respectively. ~~The initial election for offices 6 and 7 shall occur in 2001, along with the election for offices 1, 3 and 5, and the initial term of office 6 shall be two years.~~ The Board of Education is hereby vested with all the powers and charged with all the duties provided under state law for city boards of education.

Section 703. Election.

Elections shall be primary nominating and general. Members of the Board of Education shall be elected ~~from the school district at large~~ on the third Tuesday in April in odd-numbered years, unless elected by a majority of votes at the primary nominating election. Candidates to be voted on at the general election shall be residents and qualified voters of ~~a Pasadena school district~~ the geographic sub-district in which the election is held, and shall be nominated at a primary nominating election, held on the sixth Tuesday preceding the date fixed for the Board of Education general election. Only voters who live in the geographic sub-district shall be eligible to vote in the elections for Board Member from that geographic sub-district. ~~No person shall become a candidate for more than one of the numbered offices to be filled at such election.~~ No names shall be printed upon the ballot in the general election for a member or members of the Board of Education other than those selected in the manner hereinafter prescribed.

So far as possible, the same officers of election shall be appointed for the primary nominating election and for the general election, utilizing, so far as possible, the same polling places. The officers of the elections shall be compensated for their services as provided by the general laws of the State governing school elections; such compensation and any other expense incurred in the conduct of said elections shall be a charge upon the school district and not upon the City.

Section 704. Nominating Petition.

Any person desiring to become a candidate for ~~one of the numbered offices of the Board of Education to be filled at such election;~~ shall file, or have filed, with the City Clerk, acting in the capacity of Assistant Secretary to the Board of Education during Board of Education elections, in the form and in the period prior to the primary nominating election prescribed by the California Elections Code, nominating papers signed by him/her specifying for which ~~of the numbered offices~~ geographic sub-district he/she is a candidate, signed by not less than twenty five (25) ~~one hundred (100)~~ qualified voters from the ~~Pasadena Unified School District~~ geographic sub-district in which the election is held, requesting such candidacy, and accompanied by a filing fee of \$25.00. ~~The qualified voters signing any petition for the nomination of any person to the office of member of the Board of Education shall be residents of the Pasadena Unified School District.~~ The names of voters not residents of the ~~Pasadena Unified School District~~ geographic sub-district for which the candidate is being nominated shall not be counted by the County Registrar of Voters in determining the sufficiency of such petition.

Proposed Pasadena Charter Language

Section 705. Eligibility.

Each Board Member shall be a qualified elector of the geographic sub-district in which the election is held. Each Board Member shall be a resident of the geographic sub-district from which the Member is elected or appointed.

Section 706. Election at the Primary and Ballots for General Election.

The two candidates for each of the geographic sub-districts, ~~numbered offices~~ of the Board of Education receiving the highest number of votes at the primary nominating election shall be the candidates and the only candidates for such office whose names shall be printed on the ballots to be used at the general election; provided that any candidate who at a primary nominating election shall receive a majority of all the votes cast for candidates for said office, shall be elected to said office.

The ballots at such general election shall be in the same general form as for such primary nominating election, so far as applicable. In the case of a tie vote, the Board of Education shall summon the candidates affected to appear at a time and place designated by the said Board and shall at that time and place determine the tie by lot.

Section 70513. Geographic Sub-Districts.

A. Initial elections for geographic sub-district for seats 1, 3, 5, and 7 shall occur in 2013. Initial elections for geographic sub-district for seats 2, 4, and 6 shall occur in 2015. Notwithstanding the other provisions of Section 70513, the Board of Education shall establish, by resolution, the initial geographic sub-districts for use in elections held prior to redistricting under the provisions of 70513.B. A candidate for, and Board member from, each geographic sub-district must live in that district to be eligible to run for or hold the office of Board member representing that district.

B. Geographic sub-districts for the Board of Education shall be established by resolution of the Pasadena Board of Education after the decennial census year or whenever the Board determines by at least a two-thirds vote that a sufficient change in population has occurred that makes it desirable in the opinion of the Board to adjust the boundaries of the geographic sub-districts. Geographic sub-districts shall be as nearly equal in population as practicable and such redistricting shall be in compliance with applicable laws.

C. At least twenty two (22) months prior to the second general election day following the day of the decennial census, the Board of Education shall establish, by resolution, a Redistricting Commission to recommend to the Board the configuration of geographic sub-districts for the area served by the Pasadena Unified School District. The Redistricting Commission shall consist of nine members, as follows:

1. Three residents of the City of Pasadena appointed by the Pasadena City Council;
2. Three residents of the area served by the Pasadena Unified School District appointed by the Pasadena Board of Education who are not then members of the Board of Education;

Proposed Pasadena Charter Language

3. Two residents of the Altadena unincorporated area of Los Angeles County served by the Pasadena Unified School District appointed by the County Supervisor(s) representing such area;

4. One resident of the City of Sierra Madre to be appointed by the City Council of the City of Sierra Madre;

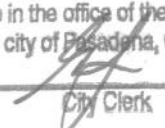
D. The Redistricting Commission shall hold at least one public hearing on any proposal to adjust the boundaries of a district prior to a public hearing at which the Redistricting Commission votes to recommend the proposal to the Board of Education. The Redistricting Commission shall provide its recommendation to the Board of Education at least sixteen (16) months prior to the second general election day following the day of the decennial census.

E. The geographic sub-districts recommended by the Redistricting Commission shall be adopted by the Board, unless amended by a two-thirds majority of the Board. If the Board fails to act within 60 calendar days of the submission of the Commission's final report and recommended plan to the Superintendent, the Commission's recommended geographic sub-districts shall be deemed adopted.

F. No change in the boundary or location of any district by redistricting shall abolish or terminate the term of office of any member of the Board prior to expiration of the term of office for which the member was elected, notwithstanding any other provision of this Section. Each incumbent member of the Board of Education will, during the duration of the member's current term, represent the area by which the member was elected.

G. At the time of, or after, any annexation of territory to the District, the Board of Education shall designate, by resolution, the geographic sub-district of which the annexed territory shall be a part.

RESOLUTION NO. 9177

I hereby certify that the foregoing document is a full, true and correct copy of Resolution 9177 on file in the office of the City Clerk of the city of Pasadena, Calif.

City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO AUTHORIZE AND ORDER THE CONSOLIDATION OF A SPECIAL MUNICIPAL ELECTION OF THE CITY OF PASADENA AND THE TERRITORY ANNEXED THERETO FOR PASADENA UNIFIED SCHOOL DISTRICT PURPOSES WITH THE PRESIDENTIAL PRIMARY ELECTION TO BE HELD ON TUESDAY, JUNE 5, 2012, AND REQUESTING THE COUNTY CLERK/ REGISTRAR OF VOTERS TO PROVIDE CERTAIN SERVICES

WHEREAS, the City Council of the City of Pasadena, at the request of the Pasadena Unified School District Board of Education, has called a Special Municipal Election to be held on the day of the Presidential Primary Election on Tuesday, June 5, 2012; and

WHEREAS, the City Council is submitting to the qualified voters of the City of Pasadena and the territory annexed thereto for Pasadena Unified School District purposes a Charter amendment measure to provide for the nomination and election of members to the Board of Education by geographic sub-districts; and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with Presidential Primary Election to be held on the same date and that within the City, and of the territory annexed thereto for Pasadena Unified School District purposes, the precincts, polling places and election officers of the two elections be the same, and that the Los Angeles County Clerk/Registrar of Voters canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were only one election; and

WHEREAS, it is necessary to secure the consent and order of the Board of Supervisors of the County of Los Angeles to effect such consolidation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pasadena as follows, that:

SECTION 1. Pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the Presidential Primary Election on Tuesday, June 5, 2012, in order that a Charter amendment may be submitted to the voters of the City of Pasadena, and of the territory that is annexed thereto for Pasadena Unified School District purposes.

SECTION 2. A Charter amendment measure is to appear on the ballot in substantially the following form:

Shall the Charter of the City of Pasadena be amended to provide for the nomination and election of members of the Pasadena Unified School District Board of Education by geographic sub-districts, with geographic sub-districts adopted by the School Board and redrawn after each federal census based upon a citizen Redistricting Commission recommendation?	YES	
	NO	

SECTION 3. The County Clerk/Registrar of Voters is authorized to canvass the returns of the Special Municipal Election and to certify the same to the City Council of the City of Pasadena at the time and in the manner provided by law. The vote requirement for passage of the measure shall be a majority of votes cast (50% plus 1) for the measure. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 4. The Board of Supervisors is requested to issue instructions to the County Clerk/Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

SECTION 5. The City of Pasadena recognizes that additional costs will be incurred by the County by reason of this consolidation, and the City agrees to reimburse the County for all expenses incurred for services requested by this resolution.

SECTION 6. The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Clerk/Registrar of Voters of Los Angeles County.

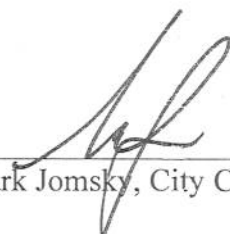
Adopted at the regular meeting of the City Council on the 6th day of February, 2012, by the following vote:

AYES: Councilmembers Holden, Madison, Masuda, Robinson, Tornek, Vice Mayor McAustin, Mayor Bogaard

NOES: None

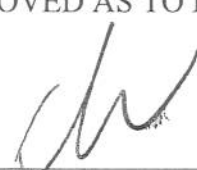
ABSENT: Councilmember Gordo

ABSTAIN: None



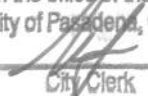
Mark Jomsky, City Clerk

APPROVED AS TO FORM:

 2/4/12

Nicholas G. Rodriguez
Chief Assistant City Attorney

RESOLUTION NO. 9179

I hereby certify that the foregoing document is a full, true and correct copy of Resolution 9179 on file in the office of the City Clerk of the city of Pasadena, Calif.

City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR A CITY CHARTER AMENDMENT MEASURE TO PROVIDE FOR THE NOMINATION AND ELECTION OF MEMBERS TO THE BOARD OF EDUCATION BY GEOGRAPHIC SUB-DISTRICTS, SUBMITTED AT A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JUNE 5, 2012

WHEREAS, Section 9285 of the California Elections Code authorizes the City Council, by majority vote, to adopt provisions for the filing of rebuttal arguments for city measures submitted at municipal elections.

NOW, THEREFORE, the City Council of the City of Pasadena does resolve, declare, determine and order as follows, that:

SECTION 1. Pursuant to Section 9285 of the California Elections Code, when the elections official has selected the arguments for and against the measure which will be printed and distributed to the voters, the elections official shall send a copy of an argument in favor of the measure to the authors of any argument against the measure, and a copy of an argument against the measure to the authors of any argument in favor of the measure immediately upon receiving the arguments.

The author or a majority of the authors of an argument relating to a City measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument. A rebuttal argument may not be signed by more than five persons.

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Declaration by Author(s) form to be supplied by the City Clerk.

Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 2. The provisions of Section 1 shall apply only to the Special Municipal Election to be held on Tuesday, June 5, 2012, and shall then be repealed.

Adopted at the regular meeting of the City Council on the 6th day of February, 2012, by the following vote:

AYES: Councilmembers Holden, Madison, Masuda, Robinson, Tornek, Vice Mayor McAustin, Mayor Bogaard

NOES: None

ABSENT: Councilmember Gordo

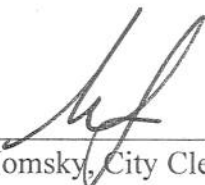
ABSTAIN: None

APPROVED AS TO FORM:



2/2/12

Nicholas G. Rodriguez
Chief Assistant City Attorney



Mark Jomsky, City Clerk